

Meeting Minutes April 21, 2005

Town of Los Altos Hills City Council Regular Meeting

Thursday, April 21, 2005 6:00 P.M.

Bullis School Multi-Purpose Room, 25890 Fremont Road

1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Present: Mayor Pro Tem Breene Kerr, Councilmember Craig A. T. Jones,
Councilmember Jean Mordo, and Councilmember Dean Warshawsky

Absent: Mayor Mike O'Malley

Staff: City Manager Maureen Cassingham, City Attorney Steve Mattas, Planning
Director Carl Cahill, Administrative Services Director Sarah Joiner,
Acting City Engineer/Public Works Director Dave Ross, Parks and
Recreation Supervisor Jimmy Forbis, and Consultant Ruth Swanson.

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Warshawsky
and passed unanimously to limit the length of time for public comments to three minutes.

2. APPOINTMENTS AND PRESENTATIONS

2.1 Appointment to the Finance and Investment Committee

The Council interviewed Jim Lai for appointment to the Finance and Investment
Committee.

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Warshawsky
and passed unanimously to appoint Jim Lai to the Finance and Investment Committee.

2.2 Appointment to the Environmental Initiatives Committee

The Council interviewed Ian Earnest for appointment to the Environmental Initiative
Committee.

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Warshawsky
and passed unanimously to appoint Ian Earnest to the Environmental Initiative
Committee.

2.3 Proclamation Designating April as National Volunteer Month

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Warshawsky and passed unanimously to approve a proclamation designating April as National Volunteer Month.

2.4 Introduction – Henry Louis, City Engineer/Public Works Director

City Manager Maureen Cassingham introduced Henry Louie, the new City Engineer/Public Works Director, who will begin employment on May 2, 2005.

3. PLANNING COMMISSION REPORT

Planning Director Carl Cahill reported that the Planning Commission met on April 14, 2005, and considered four items that included: Lands of Eshghi and Doroodian on Fremont Road, a request for a 4,300 square foot house; Lands of Breetwor on Miraloma Way, a request for a small secondary unit on the property which would go to the City Council for lifting of floor area restriction; Lands of Finn on Moody Road, a request for a new 4,500 square foot residence; and an amendment to the General Plan Land Use Diagram which would change the Diagram to indicate, “Bullis Public Elementary School site.”

4. CONSENT CALENDAR

Items Removed: Item 4.1 (Kerr), Item 4.4 (Warshawsky)

MOTION SECONDED AND CARRIED: Motion by Mordo, seconded by Warshawsky and passed unanimously to approve the remainder of the Consent Calendar, specifically:

4.1 Review of Disbursements: 4/1/2005 – 4/12/2005 \$349,723.34

4.2 Notification of Fast Track Approval: Request for a Site Development Permit for a 5,314 square-foot new residence (maximum height 26 ft. 10 in) and a 477 square foot second unit (maximum height 15 feet); Lands of Dyrdaahl, 27309 Julietta Lane

Items Removed:

4.1 Approval of Minutes: Regular City Council Meeting April 7, 2005

Approval of minutes continued to the next meeting due to the fact that only two of the four Councilmembers present attended the April 7, 2005, meeting.

4.4 Award of Contract for Auditing Services to Vavrinek, Trine, Day & Co., LLP
Resolution No.35-05

Councilmember Warshawsky questioned why the term, “not to exceed” was not included in the recommendation.

City Manager Maureen Cassingham said bids for professional services rarely included “not to exceed.” The cost reflected the scope of work.

Councilmember Mordo expressed concern that the item had not been reviewed by the Finance Committee. He was frustrated by the fact that he was liaison to a committee that did not meet.

Administrative Services Director Sarah Joiner explained that the bid needed to get out, and said the Finance Committee should be meeting once or twice in May and at a joint Study Session with the Council for the budget.

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Warshawsky and passed unanimously to adopt Resolution No.35-05 Awarding Contract for Auditing Services to Vavrnek, Trine, Day & Co., LLP.

5. UNFINISHED BUSINESS

5.1 Town Goals

5.1.1 Complete Town Hall On Time and On Budget

5.1.1a TBI Update

Tony Vierra, TBI Construction Management, reported that permanent power was turned on yesterday, and SBC installed their cable. He said landscaping was scheduled to start next week, and staff set up a committee to coordinate the move.

Councilmember Mordo expressed concern that the RSVPs for the picnic would come during the weekend of the move and asked whether the phone system would be activated.

Vierra responded that a phone line would remain active at the current site until the move.

Mayor Pro Tem Kerr announced that the dedication for the Town Hall was scheduled for June 16, and the idea was to start the Council meeting earlier that evening and have the dedication at 7:00 p.m.

Duffy Price reported that City Clerk Karen Jost was working on the database for all the elected officials who would be invited, and the Parks and Recreation Commission was talking about a time capsule. She said the Donor Wall was going in on April 25.

5.1.1b Consideration of LEEDS Certification Process for Town Hall Project

Mayor Pro Tem Kerr reported that there was discussion at the Town Hall Committee meeting about LEEDS Certification. He explained that the Town would receive points for issues such as responsible use of energy, generating its own power, water efficient landscaping, and daylighting. He added that the LEEDS Certification started in 2002, and there were currently 190 LEED Certified buildings in the United States and 400 that were registered, pending certification. He further explained that costs of approximately \$1,500 were being incurred at Peter Duxbury's, and the Town might want to register the project prior to obtaining an occupancy permit. He recommended the Council continue to

investigate the LEED Certification process and, if necessary, register the project which cost approximately \$750.

Councilmember Jones hoped that part of Peter Duxbury's investigation would give the Town a sense of what it would get with the certification.

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Mordo and passed unanimously to fund, not to exceed, \$1,500 to consider the LEED Certification process for the Town Hall project.

5.1.2 Underground Project Status

Councilmember Warshawsky reported that progress was being made with the undergrounding project.

Acting City Engineer/Public Works Director Dave Ross explained that staff met with SBC on April 8, 2005, and SBC is waiting for the City to make its first official plan submittal which is April 26.

5.2 Consideration of Appointment of Council Liaison to the Environmental Initiatives Committee (continued from 4/7/2005)

Mayor Pro Tem Kerr noted that he and Councilmember Jones attended the initial meeting.

Councilmember Jones indicated his interest to be a liaison to the Committee.

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Warshawsky and passed unanimously to appoint Kerr and Jones as Council Liaison to the Environmental Initiatives Committee.

6. NEW BUSINESS

6.1 Consideration of Proposed Agenda for the May 3, 2005 Special Joint Meeting of the Los Altos Hills and Los Altos City Councils

The Council discussed items for the agenda including the status of the Los Altos Sewer Master Plan and a new sewer agreement, as well as the playing fields for youth sports, the Los Altos cell phone tower ordinance, and public education.

Councilmember Jones offered to take the lead on the public education issue to explain Los Altos Hills' position and explain enforcing zoning laws. Mayor Pro Tem Kerr suggested that the Public Education Committee should provide a 3-5 minute presentation to begin the discussion.

6.2 Proposed VTA Long-Term Transit Capital Investment Program

Mayor Pro Tem Kerr provided a synopsis of the VTA's Long-Term Transit Capital Investment Plan, which included as its largest project, BART to San Jose. He explained that most cities have responded to the VTA that they support the plan as long as BART to San Jose did not prevent the other Measure A programs from going forward. He added that the plan is predicated on a one-half cent sales tax increase.

Councilmember Jones voiced opposition to increasing the sales tax and encouraged the Council to take a position opposing any increase in County sales tax. He suggested that the VTA be encouraged to develop a Long Range Capital Investment Program that would fund the highest priorities of the agency without relying on an additional supplemental sales tax.

Mayor Pro Tem Kerr suggested preparing a letter that indicates that the Town of Los Altos Hills reviewed the Long-Term Capital Investment Program and generally agrees with the priorities in the plan but urges the VTA to develop a Long-Range Capital Investment Plan that does not include a sales tax increase.

7. REPORTS FROM COMMITTEES, SUB-COMMITTEES, AND COUNCILMEMBERS ON OUTSIDE AGENCIES

7.1 Consideration of Letter to Congress in Support of Preserving Tax Advantages for Conservation Easements – Open Space Committee

Nancy Couperus reported that the draft letter has been sent to the Open Space Committee who agreed it was a good idea to send the letter to the Council. She understood that the Town of Woodside has sent a letter to Congress.

MOTION SECONDED AND CARRIED: Motion by Jones, seconded by Warshawsky and passed unanimously to prepare a letter for the Mayor's signature.

7.2 Discussion of Strategic Goals – Environmental Initiatives Committee

Mayor Pro Tem Kerr reported that there were a number of areas that the Committee identified, including education of residents and water and energy conservation. He explained there was a sense of urgency on clarifying and modifying the ordinance relating to solar energy. Another issue had to do with the placement of solar panels and associated hardware on residential lots and whether or no those were to be exempt from calculations. The Committee has a desire to update the building codes to encourage solar energy use and passive solar design.

Councilmember Jones asked for feedback from the Council. He noted that the immediate initiative considered at the meeting would exempt solar energy panels and associated hardware from MDA and MFA.

Councilmember Warshawsky wanted the Committee to look at incentives, such as how to incent people to use more green energy methods.

Duffy Price, Anacapa Drive, suggested there was an educational opportunity that needs to be explored and that the June newsletter could be used to request input or feedback. She added that the Council should take every opportunity to educate, explore, and facilitate what it wants to do.

Council concurred there was general agreement that staff could make suggestions to the Committee about possible ways to encourage solar use and passive solar design.

Councilmember Warshawsky wanted to hear what neighboring towns were doing.

8. STAFF REPORTS

8.1 City Manager

8.2 City Attorney

8.3 City Clerk

8.3.1 Report on Council Correspondence

9. COUNCIL-INITIATED ITEMS

9.1 Request to Revise the Town's Website – Mayor Pro Tem Kerr

City Manager Maureen Cassingham reported that Mayor Pro Tem Kerr's inquiry precipitated a review by staff with the help of Palo Alto IT staff and looking at other websites of other benchmark cities. She explained the options listed in the staff report if the Council chose not to have their personal emails featured on the website.

Discussion ensued about personal email addresses, secondary personal email addresses and issues relating to spam and public records.

Councilmember Mordo favored the idea of a Town email address for each Councilmember.

Mike Trautman, City of Palo Alto, indicated the cost would be under \$500 for the first option in the staff report and \$120 for the third option.

Council took no action.

9.2 Status of Parks and Recreation Department Horse Riding Activities at Westwind Barn – Mayor Pro Tem Kerr

Parks and Recreation Supervisor Jimmy Forbis provided a summary of the staff report. He explained that the issues involving the program were that the Town had to continually rely on others. During the January Parks and Recreation Committee meeting, it was decided that the program should take a hiatus during the summer of 2005 in order to try to develop infrastructure that was required in order to put on such a program. He indicated that the Parks and Recreation Committee will request Park Bond funds in order to establish the infrastructure, and the proposals will include development of paddocks and a round pin that would allow the infrastructure.

Jane Kawasaki, Co-Chair, Parks and Recreation Committee, reported the Committee was waiting for bids. She noted that dirt needed to be removed and drainage put in, and fences and shelter for the horses were necessary.

Discussion followed about who provides the horses, whether it would be the Town or private owners. Mayor Pro Tem Kerr asked about liability of the horses.

City Attorney Steve Mattas said the Town was liable if it owned the horses, and the liability would shift if the instructor owned the horse.

City Manager Cassingham noted that there was a significant responsibility to the Town to maintain horses including feeding and veterinary expenses.

Valerie Metcalf, Co-Chair, Parks and Recreation Committee, explained that the Committee had not asked for money because it wanted to do market research. The Committee found a demand for the program.

Councilmember Jones supported the concept of getting the Town to help fund a vibrant youth program. The Town needs to put in place the infrastructure to run the program on a permanent basis. He suggested the Committee come back with a detailed budget request in time for the Strategic Planning Meeting.

Mayor Pro Tem Kerr wanted to look at the whole picture before spending money on the paddocks. The City needed to understand the ongoing commitment it would be making. The Council will discuss this again at its Goal Planning session.

9.3 Discussion of Anza Trail Alignment and the Town's Path Map – Councilmember Warshawsky

Councilmember Warshawsky said the Council requested that the Pathways Committee look at the Anza Trail and provide input to the Council. He said it was important to frame the issue for the Pathways Committee. He explained that the Anza Trail would be similar to the John Muir Trail and would be located on MapQuest and national maps. The trail would be about 1,200 miles, going through California, Arizona, and Mexico.

Councilmember Mordo suggested giving direction whether or not the Town wants the trail going through off-road pathways such as Byrne Preserve.

Councilmember Jones understood Councilmember Warshawsky wanted a report from Carl Cahill about the preliminary impact would be and what the Town's responsibilities would be.

Sue Welch, Edgerton Road, expressed concern about the potential impact of a national historic trail through Los Altos Hills and the Byrne Preserve. She suggested the Town needed more information about the impacts before considering a well publicized, well marked national historic trail that could bring a lot of people into the Town. She reported looking at statistics of people who used open spaces in the immediate area and found that Arastradero Preserve had 90,000 visitors per year, Stanford Dish had 250,000 visitors per

year, and Rancho San Antonio had over one million visitors per year. She added that the Town's path system was never intended for large scale public use.

Chris Vargas, Templeton Place, agreed that obtaining data and facts was a good idea before the matter is discussed by the Pathway Committee. He asked whether the item should be on the Pathway Committee agenda next week or in May.

Cahill suggested the Pathway Committee consider the matter in May. He suggested asking the County and the Parks Service whether they might be willing to provide the Town with a grant to pay for an Environmental Impact Report (EIR).

Vargas reported that the Pathway Committee discussed the trail about six months ago and voted on a preferred route. He asked about the direction the Pathway Committee should take.

Cahill noted that the Pathway Committee, by a majority consensus, came up with a route for the Anza Trail that took advantage of the on road system. He suggested that staff, Mr. Vargas, and Pathway Committee members meet with the Park Superintendent and go along the route already recommended by the Pathway Committee.

County Parks Planner Jane Mark spoke about the proposed Stanford S-1 trail alignment, which was an unusual situation because the S-1 trail was a development condition from Stanford. Stanford is required to pay for an EIR document for the trail alignment. She requested that the Council consider the criteria that the National Park Service sees for an Anza Trail alignment. She added that the County would be happy to participate and lend its technical expertise and to follow through with the staff protocol.

10. PRESENTATIONS FROM THE FLOOR

Michelle Harrison, representing neighbors on Lupine Road, said the neighbors were disappointed to read the letter from Mr. Alon to Carl Cahill regarding the proposed lowering of the buttresses to mitigate the square footage reduction. She said the neighbors thought the intent of the Council's directive was a way of compromising by reducing the bulk by 560 square feet, but the proposed buttress lowering was not in the spirit with which the neighbors thought the Council's mandate was made.

Planning Director Carl Cahill reported that Planning staff met with the Alon's to express the Council's direction and that the methodology proposed by the Alon's was not consistent with the Council direction. He believed the Alon's planned to make corrections to the house plans to comply with Council direction.

Councilmember Warshawsky encouraged the neighbors to stay involved.

11. PUBLIC HEARINGS

12. ADJOURNMENT

There being no further business, the Regular City Council meeting was adjourned by consensus at 8:30 p.m.

April 21, 2005 City Council meeting minutes prepared and submitted by Ruth Swanson, Consultant.

The minutes of the April 21, 2005 City Council Meeting were approved as presented at the May 5, 2005 City Council Meeting.